



1652
Attorney Docket No. 54652.8005.US01

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: DONALD L. DURDEN

APPLICATION No.: 09/937,982

FILED: OCTOBER 2, 2001

FOR: **USE OF ASPARAGINASE AND GLUTAMINASE TO
TREAT AUTOIMMUNE DISEASE AND GRAFT
VERSUS HOST DISEASE**

EXAMINER:

ART UNIT: 1652

CONF. No.: 1413

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Sir:

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1. Timing of Submission

This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d); or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

2. Cited Information

Copies of all cited references are enclosed.

References "AT," "AX," and "AY" are not in English. For each such reference an English-language summary is included at the end of each reference. Applicant has not verified that the translation is an accurate representation of the teachings

Certificate of Mailing

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

June 13, 2003
Date of Deposit

Debbie Gilbert
Debbie Gilbert

of the non-English reference, though, and reserves the right to demonstrate otherwise.

3. Effect of Information Disclosure Statement (37 CFR 1.97(h))

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, Applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

4. Fee Payment

No fees are believed due. However, should the Commissioner determine that fees are due in order for this Information Disclosure Statement to be considered, the Commissioner is hereby authorized to charge such fees to Deposit Account No. **50-2586**.

Respectfully submitted,

Perkins Coie LLP



Michael J. Wise
Registration No. 34,047

Date: 6/12/03



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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
Form PTO-1449 (Modified)
(Use several sheets if necessary)

COMPLETE IF KNOWN

Application Number	09/937,982
Confirmation Number	1413
Filing Date	October 2, 2001
First Named Inventor	Donald L. DURDEN
Group Art Unit	1652
Examiner Name	

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Sheet 2 of 2 Attorney Docket No. 54652.8005.US01

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OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published.	T
	AX	Pastor <i>et al.</i> , "Treatment Of Systemic Lupus Erythematosus With L-Asparaginase: Considerations On A Case." <i>Rev. Hosp. Clin. Fac. Med. Sao Paulo</i> 27: 129-133 (May-June 1972).	N
	AY	Pastor <i>et al.</i> , "Use of L-asparaginase in the treatment of patients with nephritis due to lupus: immediate and midterm effects." <i>Rev. Paul. Med.</i> 91: 1-5 (January-February 1978).	N
	AZ	Roberts <i>et al.</i> , "Inhibition Of Mouse Retroviral Disease By Bioactive Glutaminase – Asparaginase." <i>Journal of General Virology</i> 72: 299-305 (1991).	Y
	BA	Smith <i>et al.</i> , "Molecular Cloning of a cDNA for Rat Hepatic Glutaminase." <i>Journal of Biological Chemistry</i> 265: 10631-10636 (1990).	Y
	BB	Spring <i>et al.</i> , "L-Asparaginase Genes in <i>Escherichia coli</i> : Isolation of Mutants and Characterization of the <i>ansA</i> Gene and Its Protein Product." <i>Journal of Bacteriology</i> , 135-142 (April 1986).	Y
	BC	Sternberg <i>et al.</i> , "Biochemical Criteria for the Evaluation of Drug Efficiency on Adjuvant Arthritis and Nephrotoxic Serum Nephritis in the Rat: Studies with Phenylbutazone, L-Asparaginase, Colchicine, Lysine Acetylsalicylate, and Pyridinol Carbamate." <i>Can. J. Physiol. Pharmacol.</i> 53: 368-374 (01 June 1975).	Y
	BD	Veronese <i>et al.</i> , "Improvement of pharmacokinetic, immunological and stability properties of asparaginase by conjugation to linear and branched monomethoxy poly ethylene glycol." <i>Journal of Controlled Release</i> 40: 199-209 (1996).	Y

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application(s).	



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Sheet 1 of 2 Attorney Docket No. 54652.8005.US01

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U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	U.S. Patent or Application		Name of Patentee or Inventor of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		NUMBER	Kind Code (if known)			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.	Foreign Patent or Application			Name of Patentee or Applicant of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Office	NUMBER	Kind Code (if known)				
	AQ	WO	99/39732		Rhone-Poulenc Rorer Pharmaceuticals Inc.	12.08.99	See entire document.	Y
	AR	WO	98/56410 A1		Durden, Donald L.	17.12.98	See entire document.	Y

OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published.	T
AS	Abuchowski et al., "Cancer Therapy with Chemically Modified Enzymes. I. Antitumor Properties of Polyethylene Glycol-Asparaginase Conjugates." <i>Cancer Biochem. Biophys.</i> 7: 175-186 (1984).		Y
AT	Aussannaire, et al., "Acido-Ketotic acute diabetes in a child treated by L-asparaginase." <i>Arch. Fr. Pediatr.</i> 29: 527-532 (01 May 1972).		N
AU	Durden et al., "Comparison of the Immunosuppressive Effects of Asparaginases from <i>Escherichia coli</i> and <i>Vibrio succinogenes</i> ." <i>Cancer Research</i> 40: 1125-1129 (April 1980).		Y
AV	Gilbert et al., "Cloning and Expression of the <i>Erwinia chrysanthemi</i> Asparaginase Gene in <i>Escherichia coli</i> and <i>Erwinia carotovora</i> ." <i>Journal of General Microbiology</i> 132: 151-160 (1986).		Y
AW	Khan et al., "L-Asparaginase in Experimental Auto-Immune Disease: inhibition of Allergic Encephalomyelitis." <i>Journal of Immunology</i> 105: 256-258 (July 1970).		Y

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